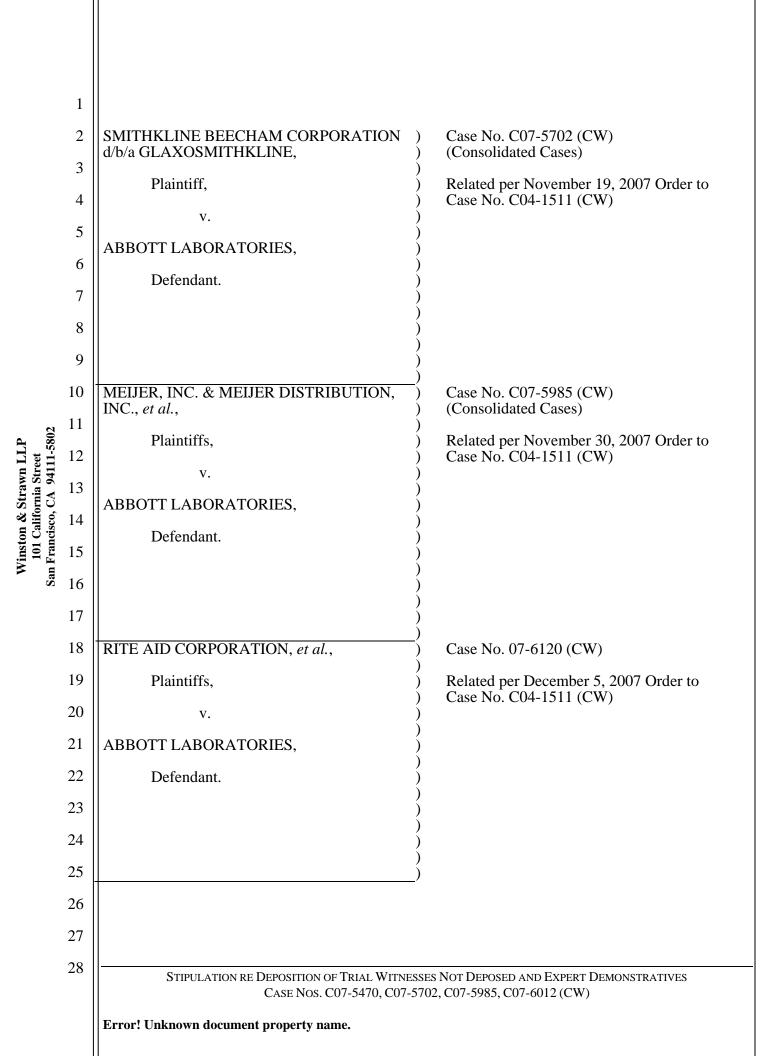
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	18	OAKLAND DIVISION		
	19	SAFEWAY INC., et al,	Case No. C07-5470 (CW)	
	20	Plaintiffs,	Related per November 19, 2007 Order to Case No. C04-1511 (CW)	
	21	v.)	STIPULATION RE DEPOSITION OF	
	22	ABBOTT LABORATORIES,	TRIAL WITNESSES NOT DEPOSED AND EXPERT DEMONSTRATIVES	
	23	Defendant.		
	24			
	25	´)		
	26	(Caption continued on next page.)		
	27			
	28	STIPULATION RE DEPOSITION OF TRIAL WITNESSES NOT DEPOSED AND EXPERT DEMONSTRATIVES		
		CASE NOS. C07-5470, C07-5702, C07-5985, C07-6012 (CW) Error! Unknown document property name.		



WHEREAS, the parties are engaged in discovery in the consolidated cases of *Safeway, et al.*,
 v. Abbott Laboratories (No. 07-5470), *Smithkline Beechem Corp. d/b/a Glaxosmithkline v. Abbott Laboratories* (No. 07-5702), *Meijer, Inc. & Meijer Distribution, Inc., et al. v. Abbott Laboratories* (No. 07-5985), and *Rite Aid Corp., et al., v. Abbott Laboratories* (No. 07-6120);
 WHEREAS, the parties have cooperated with one another to narrow the scope of fact and

WHEREAS, the parties have cooperated with one another to narrow the scope of fact and expert discovery in these cases;

WHEREAS, during fact discovery, the parties identified those witnesses disclosed in discovery responses who are likely to be deposed at trial and focused deposition discovery on these witnesses to avoid taking unnecessary depositions; and

WHEREAS, during expert discovery, the parties agreed to reserve for a later date the exchange of expert demonstrative exhibits.

IT IS HEREBY STIPULATED AND AGREED:

1. If any party includes a witness on a trial witness list (due under the current schedule on January 25, 2011), who was not previously deposed in these cases, that witness will be made available for five hours of deposition testimony within one week of the disclosure (or some other date if agreed by all parties), even though the fact discovery cutoff has passed.

Demonstrative exhibits to be used with experts during trial shall be disclosed pursuant
to the demonstrative exhibits deadline in Judge Wilken's standing orders (due under the current
schedule on January 28, 2011), or by further written agreement of the parties. The parties reserve
the right to challenge expert demonstrative exhibits on grounds unrelated to this stipulation –
including the ground that the subject matter of a demonstrative exhibit was not adequately disclosed
in the expert reports.

STIPULATION RE DEPOSITION OF TRIAL WITNESSES NOT DEPOSED AND EXPERT DEMONSTRATIVES CASE NOS. C07-5470, C07-5702, C07-5985, C07-6012 (CW)

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/s/ Scott E. Perwin	/s/ Stephanie S. McCallum
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	4 SSES NOT DEPOSED AND EXPERT DEMONSTRATIVES

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